

of the State of Oklahoma with its principal place of business in Oklahoma City, Oklahoma, County, Oklahoma and is thus a citizen of Oklahoma for diversity jurisdiction purposes. Defendant Berkshire is an insurance company incorporated in the State of Massachusetts with its principal place of business in Boston, Massachusetts and is thus a citizen of Massachusetts for diversity jurisdiction purposes. Because Plaintiff is a citizen of Oklahoma and Berkshire is a citizen of Massachusetts, there is complete diversity between the parties for purposes of this Court's diversity jurisdiction.

4. In its Petition, filed on April 26, 2019 and served on June 21, 2019, Plaintiff states it "demands judgment against Defendant, Berkshire Hathaway Specialty Insurance Company, in an amount in excess of the jurisdictional amount in 28 U.S.C.A. §1332, plus interest, costs, attorney fees and all other relief which the Court deems just and equitable." Accordingly, Plaintiff's Petition, on its face, alleges damages in excess of the amount required for diversity jurisdiction pursuant to 28 U.S.C.A. §1332.

5. Removal is appropriate in this matter because complete diversity exists between Plaintiff and the Defendant and Plaintiff seeks damages in excess of \$75,000.00, as required by 28 U.S.C. § 1332.

6. This Notice of Removal is timely filed under the provisions of 28 U.S.C. § 1446(b), in that it is filed within thirty (30) days after the Defendant Berkshire was served on June 21, 2019.

7. Pursuant to 28 U.S.C. § 1446 and LCvR 81.2, copies of all process, pleadings, and orders served upon Defendant Berkshire, together with a copy of the docket

sheet from the District Court of Oklahoma County, are attached hereto as Exhibits 1 through 6.

8. Defendant Berkshire further states that no motions are pending before the state court at the time of removal.

9. Contemporaneously with this filing, Defendant Berkshire served a Notice of Filing Notice of Removal on Plaintiff's counsel and the Court Clerk of the District Court of Oklahoma County.

WHEREFORE, premises considered, Defendant Berkshire respectfully requests that this Court remove the instant case from the District Court of Oklahoma County, State of Oklahoma, to the District Court of the United States for the Western District of Oklahoma.

Respectfully submitted,

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CERTIFICATE OF SERVICE

This will certify that on the 10th day of July, 2019, I electronically transmitted the foregoing to the Clerk of the Court using ECF System for filing. Based on the electronic records currently on file, the Clerk of the Court will transmit a Notice of Electronic Filing to the following recipients:

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